

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| RICHARD PARKER, Petitioner, v. WARDEN MICHAEL CURLEY, et al., Respondents. | : : : : : : : : : : | CIVIL ACTION NO. 10-5569 |
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ORDER

AND NOW, this 17th day of October, 2012, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (Docket No. 1) filed October 19, 2010; Petitioner's Application for Relief¹ (Docket No. 3) filed November 1, 2010; the Response to Petition for Writ of Habeas Corpus (Docket No. 12) filed February 17, 2011; the Response to Petitioner's November 1, 2010 Application for Relief (Docket No. 14) filed March 15, 2011; Petitioner's Traverse and Response to the Commonwealth's Answer to His Habeas Corpus Petition/Application for Relief (Docket No. 21) filed May 26, 2011; the Objections to the Magistrate's Report and Recommendation (Docket No. 32) filed by Petitioner on December 15, 2011; and after review of the Amended Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated July 20, 2012, as well as the objections filed by Petitioner on October 12, 2012, it is hereby **ORDERED** that:

¹This document was attached as Appendix (A) to Petitioner's Petition for Writ of Habeas Corpus. On November 1, 2010, this Court filed this document, which is entitled "Application for Relief Seeking Stay and Abeyance Nunc Pro Tunc Due to Extraordinary Circumstances of Government Interference/Attorney Malfeasance and/or Sufficiently Egregious Behavior."

1. The Amended Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice and **DISMISSED** without an evidentiary hearing;
3. Petitioner's Application for Relief is **DENIED**; and
4. No certificate of appealability will issue since Petitioner has failed to make a substantial showing of the denial of any constitutional right.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.